

**“HAND THAT WROTE
NOTE**

**FOUND BY MARY’S
BODY**

**TIED CORD
AROUND HER**

**NECK,”
DECLARES FRANK**

Man Who Has Condemned for the Murder of the
Lit-

the Phagan Girl Gives Out a Statement From
His Cell in the

Tower Declaring That Jim Conley’s Recital Is
Not Only a

Lie but Impossible in Many Details

**“I DON’T ASK FOR PITY, SYMPATHY OR
QUARTER,**

**I STAKE ALL ON THE TRUTH; THE
TRUTH WILL OUT”**

Undaunted by the Supreme Court’s Decision
Denying Him a

New Trial, Factory Superintendent Declares
That His

Faith in Fellow Men Is Still Unshaken and
Believes He

Will Be Vindicated When Truth Is Known

Undaunted by the decision of the supreme court, Leo M. Frank, in his cell at the Tower, Wednesday penciled a statement to the public, declaring that the truth, which will vindicate him, must out, and “is now on the march.”

“The hand that woke the notes tied the cord around poor little Mary Phagan’s neck,” says Frank, again accusing the negro, Jim Conley, of the crime for which he stands convicted.

“I don’t ask for pity, for sympathy, or for quarter; I stake all on the truth. I feel confidently that truth will out; that God will not let an innocent man suffer for the crime of another,” is another striking assertion in one of the most remarkable utterances ever made by a man condemned to death.

Frank's statement, while given to the press through his chief counsel, Luther Z. Rosser, was not edited or corrected by the change of a single word by the attorneys. Frank made the statement at his own request, and when Mr. Rosser, with Attorney Reuben R. Arnold, went to the tower Wednesday the statement was already written and was immediately handed to them.

While neither of his attorneys makes any statement, it is said with authority that the first move in the new fight for Frank's life will be a motion before the supreme court to re-argue the case.

The "plea for fair play" of the man who has been condemned by the courts, follows in full:

"My Faith Is Unshaken."

Out of deference to the wishes of my attorneys, and respect to the high tribunal which has been considering my case, I have refrained from public expression in the premises. Today these limitations and restraints do not exist, and I feel free to unbosom myself in the matter, as I have naught to conceal or extenuate.

While there rests upon me at this date the shadow of a sinister cloud, I confidently believe that a ray of light will break through this cloud and illuminate this sad affair with truth, and that I will stand vindicated of the dire accusation against me in the eyes of all men. My faith in men is unshaken, my faith in my fellow-citizens of Georgia steadfast, my faith in God supreme.

I can truthfully say that there rests no bitterness or recrimination in my heart against those who, with the authority of law behind them, have enmeshed me, an innocent man, in the meshes of the law's machinery. I feel that they all have made a great mistake—a mistake which I trust has been unwittingly committed, and the error of which I hope they may soon see. I

feel forward them like the great Nazarene, who said, Forgive them, Father, for they know not what they do.”

“I Stake All on the Truth.”

A fabric reared upon a foundation of sand, and a case upon a basis of error cannot, and will not, stand the acid test of reason, truth and fairness. I don’t ask for pity, for sympathy, or for quarter; I stake all on the truth. That alone is unshaken, uncrumbling and lasting. I feel, confidently, that the truth will out; that God will not let an innocent man suffer for the crime of another; that **“the Truth is on the march”!**

Let us pause awhile and let the light of common sense pass in review over this case. I know that the rank and file of our citizens are willing to withhold judgement until the last chapter of the Frank case has been written.

“One Undeniable Fact Stands Out.”

There is one fact, one undeniable fact, connected with this case that lifts it from the realm of mystery and places it in the category of just plain dastardly, ordinary brutal murder. I refer to the two notes which were found by the body of little Mary Phagan. Unquestionably, without any gratuitous additions, the person that wrote these two notes kill Mary Phagan, there can be no doubt of that, nor do I think that any fair-minded and just person will doubt it. I wish that every Georgia citizen had a copy of these two notes and could study them for and by himself. I think the light of truth in this lamentable affair would then begin to begin through.

The two notes form a piece of evidence which is in a class by itself. They cannot be twisted or rattled on the witness stand, nor

can any amount of third degree coercion, star chamber session or training make them change what they indelibly will always proclaim to the world: **That the hand that wrote these two notes tied the cord around poor little Mary Phagan's neck.**

The study of these notes must show the truth. One cannot dodge it, if he undertakes to look at the matter fairly. It is a case of where "he who reads, may learn" the truth.

"Conley's Recital Is Impossible."

The study of the notes brings up another ridiculous, though sinister, element of the case—Jim Conley. I am not going into Conley's story in detail, for the facts concerning him are too well known to the general public for me to dilate upon them. His tale is replete with incongruities and impossibilities. His acts, even according to his own testimony the confidence and belief of reasonable thinking human beings who aim to do justice. I say with the assurance of my innocence that the eyes of the world, that the simple facts show that Jim Conley's recital is not alone a vicious lie, but was **impossible!**

In the last analysis, the public, seeing clearly through the maze of contending and conflicting emotions, will recognize the **Truth**, and cry out for fair play, and decency will be vindicated. Good people of the State of Georgia will never be a party to a judicial murder and stand aloof and watch a man wrongfully done to his death. **Truth** must out common sense and decency be vindicated. My statement at the coroner's inquest has never been changed, disproven or challenged in even minor detail, and yet I am condemned on Conley's statement—a statement that has been altered and changed to suit each new phase in the working up of the case against me. Detective Scott swore to this on the stand.

The lamentable conditions prevailing at my trial were born of excitement and sensation. I feel secure that the great mass of the people will cry out for the full measure of justice to be given me and fair play meted out to me. That is all I ask! More I do not want! "The **Truth** is on the march!"

Can Frank Escape Death?

Conley's Trial on Monday

A new legal point, which is interesting attorneys, has arisen following the action of the supreme court in affirming the verdict of the superior court in the Frank case.

Because of the fact that the case around Frank is built on circumstantial evidence the trial judge, Judge L. S. Roan, had the right to impose a life sentence rather than the death sentence on Frank. Judge Roan, however, sentenced Frank to death.

While there is only a slight chance

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LEO FRANK MAKES HIS STATEMENT

HAND THAT WROTE NOTE

KILLED MARY PHAGAN, SAYS CONDEMNED MAN

(Continued from Page One.)

That the courts will be called upon to decide the question it is causing much comment among attorneys, many of whom declared that because of the supreme court's action Judge Hill will have no option and must follow the sentence imposed by Judge Roan.

CONLEY TRIAL.

Following the announcement of the decision of the supreme court the solicitor genera's office has published the court calendar

for the session commencing February 23, next Mondy, and the name of James Conley is the first one on the calendar.

The action of the supreme court has precluded the possibility of the state's failing to prove the charge in the indictment against Conley, that the principal in the crime stands convicted.

Had a new trial been granted Frank, then that part of the Conley indictment could not have been proven, and attorneys declare that the negro could never have been convicted on the charge of being an accessory after the fact of Mary Phagan's murder.

It is expected that a new move will be made within the next two or three days. Frank's attorneys, Messrs. Rosser, Arnold and Haas held a long conference Tuesday night and were again in consultation this morning. They are not yet ready, they say, to announce what they plan to do, but it is quite apparent that the dissenting opinion of Chief Justice Fish and Justice Marcus A. Beck has served to soften their disappointment in the supreme court.

NOT DISCOURAGED.

Both Frank and his attorneys refuse to be discouraged. They will take advantage of every avenue allow them by law and will make, if possible, a more stubborn fight in the future than in the past. There are several possible moves for the defense.

If the supreme court, in its ruling, failed to pass upon a material point of law raised in the brief of the defense, then the defense can move for a rehearing on the point or points in question and, if the court allows the motion a day for argument of these points will be set and the case or rather so much of it as concerns the points raised, will go back to the supreme court for another decision. It is considered quite likely that the defense will ask a rehearing on several counts of alleged error contained in the bill of exceptions.

NEW EVDIENCE.

Based on newly-discovered evidence, the defense can make an extraordinary motion for a new trial, the merits of which motion would be determined by the state supreme court.

An appeal can be taken to the United States supreme court, provided the attorneys for the defense can show that in the original trial of the case they laid a foundation for each appeal by making a federal constitutional point. The only phase of the case which would be considered by the United States supreme court, provided it ever gets there, would be whether Frank had been deprived of his liberty without due process of law.

The state supreme court is final when it comes to an interpretation of the Georgia law.

After reading the lengthy decision in the Frank case Tuesday afternoon, Mr. Rosser remarked to a Journal man:

"The strongest argument I could make," is contained in the dissenting opinion of Chief Justice Fish and Justice Beck."

FRANK FEARS NOTHING.

Frank is quoted as having made the following statement Tuesday afternoon in conversation with one of his jailers:

"The truth will finally out. It can't be planned down forever. It will take time—maybe an age, but it will eventually come, and I will then be exonerated man. I am not worrying, because I'm depending on truth. In time the world will know the guilty man and I will be cleared. It will take time, but time will do it."

Mrs. Frank also declares that the truth will come out and that her husband will be vindicated. She said Tuesday evening:

“Certainly, the decision came as a surprise. We are only waiting for the truth to claim its own. My husband is in good health and he is bearing up well. I am too nervous and unstrung to talk much. Later, maybe, I will talk more and have many things to say. But not tonight.”

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FIRST PAGE OF FRANK'S
REMARKABLE

STATEMETN GIVEN OUT BY
HIM TODAY

PDF PAGE 9, COLUMN 1

***Burns Carries Brickbat in Either
Hand for***

***Governor Cole Blease, of
South Carolina***

Noted Detective Is in
Atlanta

for Lecture-Silent on the Frank Case

Brickbats for Colo Blease, bouquets for suffragettes end blanks for the Frank case was the broadside Detective William J Burns unloaded when he arrived In Atlanta Wednesday morning.

The greatest sleuth in world proved himself by alighting from the train and eluding the watchful eyes of two press agents, four reporters, a trio of photographers, and one of his own men. They all missed him. Only the delay of a dark cab driver in getting his trusty steed started prevented Burns from making a clean getaway.

He reached Atlanta over the N., C. & St. L. railway from Columbus, O., at 9:30 o'clock to fill a lecture date at the Baptist Tabernacle Wednesday night. He was accompanied by Mrs. Burns.

With neither the disguise of whiskers nor the aid of gumshoes, Mr. Burns showed himself a sure sleuth, while the reception committee ran from car to car in frantic haste looking for a short, stout man, curly-haired, with a close-cropped moustache, the negro Pullman porter was aiding a lady and a stout, short man with a moustache and close-cropped moustache, the negro Pullman porter was aiding a lady and a stout, short man with a moustache and close-cropped curly hair to alight from the front coach.

BURNS IS DISCOVERED.

Mr. Burns was safely embarked in a cab when his own officer from the local branch dashed into Wall Street and yelled at the driver. The driver stopped.

"Is this Mr. Bruns?" bellowed a reporter.

"It is," said Mr. Burns, calmly enough.

Then he was interviewed and photographed before he pursued the even tenor of his way to the Georgian Terrace.

"How about the Frank case, Mr. Burns?"

He looked puzzled. "O, yes, that was the little Phagan girl that was killed here. Never heard of her until last summer when a man told me about it on the boat coming over from Europe. No, I never had a report about it. You see, there are some three thousand men in my employ, and I don't hear of these individual cases unless they're pretty important. Mr. Tobie, the man you say was down here, is head of the criminal department of my Chicago office. He is a good man."

Mr. Burns evidently did not recall that Sleuth Tobie beat it from Atlanta, declaring "this is the hell of a family row and I am going to get out." Whether Burns really had an opinion about the case is a mystery. You can't use the third degree on a third-degree user, you know.

As for Cole Blease, whom Mr. Burns knew well a year ago in the dictagraph case in which Blease's enemies tried to put the kibosh to him, Burns was ready with a stiff punch for the Carolina governor.

BRICKBAT FOR BELASE.

"Going to run for the senate is he? Well, I thought they had started to clean up congress instead of besmirching it. It just

means that South Carolina will be represented by one senator instead of two. Blease will be a nonentity up there."

Burns isn't backing off the lecture date he has in Columbia, this spring, despite the fact that Blease has threatened to have him arrested if he ever crosses the South Carolina border.

"Blease barks," said Burns. "He never bites."

"I have never been a respecter of persons, as you know," he continued. "The men higher up are the men to get, too. There are lots of men outside prison walls who should be inside. Instead of sending young men to prison, we should go for the big fellows who are really responsible. That is the only way to eliminate crime.

"But the world is getting better. Graft has been reduced 10 percent in the last few years. I'll tell you what, too, it is the women who are largely responsible for the improvement. I am in favor of suffrage for them and always have been."

Mr. Burns was of the opinion that punishment and reformation should go hand in hand in our prisons.

REFORMATION FIRST.

"Reformation should be precedent," he declared, "but you have to have punishment. Some men should never be sent to the penitentiary that are there now. Others should be kept in for life to save society from them. Young men especially should be kept from the ill results and the disgrace of a prison service."

"Proper environment more than education is going to be the cure-all for the young criminals of this nation. Education is doing much, but it is far secondary to environment. You take the New York gunmen, those young fellows that hang out around the Tub of Blood and similar places. They have been well educated. Most

of them are high school graduates. It is their environment that is responsible for them. Clean up your cities and you will lose your criminals. It is in this work that woman's suffrage is going to help. Already we are doing away with graft and getting the men higher up who are responsible for bad municipal conditions. I expect the next few years to see still more improvement along these lines."

Mr. Burns will be in Atlanta until Thursday morning. Following his lecture at the Tabernacle Wednesday night, which is sure to attract a large audience, he goes to Jacksonville, Fla., for another date on his country-wide tour.
